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May 16, 2019

**REDACTED FOR PUBLIC FILING**

The Honorable Sarah Netburn  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

On behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”), I write with respect to the May 15, 2019 letter submitted by the Plaintiffs’ Executive Committees (“Plaintiffs”) in support of their motion to compel the deposition of Akram Mohamed Alzamari.

[REDACTED]

We further note that Plaintiffs have now sought multiple depositions of non-party witnesses as part of their limited jurisdictional discovery against Saudi Arabia.\* Saudi Arabia had previously requested that the Court set a briefing schedule for disputes concerning the number and identity of any potential deponents. ECF No. 4390. At the February 26, 2019 hearing, the Court stated that it would “not set a briefing schedule now, but . . . will keep it on [the Court’s] to-do list.” Feb. 26, 2019 Hr’g Tr. 90:23-24. Saudi Arabia submits that any

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\* In addition to Mr. Alzamari’s deposition, which the Court has ordered will proceed by written interrogatories, *see* ECF No. 4522, the Plaintiffs have noticed the depositions of two board members of the foundation that operated the King Fahad Mosque, Khalil Al Khalil and Osman Kaldrim. *See* Ex. A. Plaintiffs have also requested that the Court issue a letter of request for the deposition of Mohdar Mohamed Abdullah in Sweden, although they have not submitted any motion in support of that request.

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depositions Plaintiffs take in the interim should count against the deposition limit that the Court ultimately sets.

When a case is fully litigated on the merits, the Federal Rules allow a party to take 10 depositions, unless the court grants leave for more. *See* Fed. R. Civ. P. 30(a). As this Court has stated more than once, it has authorized only narrow, “limited,” and “circumspect” jurisdictional discovery in this case. *E.g.*, ECF No. 3946, at 7, 23. Saudi Arabia noted at the February 26 hearing that Plaintiffs have already listed more than 60 potential deposition targets for their case against Saudi Arabia, and that does not even include Mr. Al Khalil, Mr. Kaldrim, or Mr. Alzamari. *See* Feb. 26, 2019 Hr’g Tr. 89:6-8. We look forward to briefing this issue fully when requested by the Court.

Although Saudi Arabia does not intend to request that any part of this letter be sealed, we note that this Court granted Mr. Alzamari’s request that previous correspondence, including Plaintiffs’ May 15 letter, be sealed in its entirety. *See* ECF No. 4522. Accordingly, pursuant to ¶ III(d) of the Court’s Individual Practices, we are also submitting this letter by email and under seal.

Respectfully submitted,

*/s/ Michael K. Kellogg*

Michael K. Kellogg  
*Counsel for the Kingdom of Saudi Arabia*

cc: The Honorable George B. Daniels  
Kelly A. Moore, Esq.  
Sarah Normand, Esq.  
Jeannette Vargas, Esq.  
Robert Kry, Esq.  
Andrew J. Maloney, Esq.  
Robert T. Haefele, Esq.  
Sean P. Carter, Esq.

# **EXHIBIT A**

**FILED UNDER SEAL**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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*This document relates to All Actions*

**REVISED NOTICE OF VIDEO DEPOSITION**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b) of the Federal Rules of Civil Procedure, the Plaintiffs, through their undersigned attorneys, will take the audio-visual deposition of Khalil al-Khalil.

The deposition will commence on June 14, 2019, beginning at 9:00 a.m. Pacific Time at the Law Offices of Manning & Kass, Ellrod, Ramirez, Trester LLP, 801 S Figueroa St #15, Los Angeles, CA 90017, (213) 624-6900, before an officer authorized by law to administer oaths. The deposition will be stenographically recorded and videotaped.

The deposition will continue day to day until complete.

The Plaintiffs' Executive Committees have assigned the following attorney point of contact for this deposition:

Andrew J. Maloney, Esq.  
Kreindler & Kreindler LLP  
750 Third Avenue  
New York, NY 10017  
Phone: 212-687-8181  
[amaloney@kreindler.com](mailto:amaloney@kreindler.com)

You are invited to attend and examine.

Dated: April 16, 2019

Respectfully,

/s/ Steven R. Pounian  
Steven R. Pounian  
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*On Behalf of the MDL 1570 Plaintiffs' Executive  
Committees*



**CERTIFICATE OF SERVICE**

I hereby certify that on this 16th day of April, 2019 I caused a copy of the foregoing Revised Notice of Video Deposition to be served by email upon the following for their further distribution to counsel for all parties in this action:

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Gregory G. Rapawy, Esq.  
Andrew Chun-Yang Shen, Esq.  
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/s/  
Steven R. Pounian, Esq.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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PLEASE TAKE NOTICE that, pursuant to Rule 30(b) of the Federal Rules of Civil Procedure, the Plaintiffs, through their undersigned attorneys, will take the audio-visual deposition of Osman Kaldirim.

The deposition will commence on June 12, 2019, beginning at 9:00 a.m. Pacific Time at the Law Offices of Manning & Kass, Ellrod, Ramirez, Trester LLP, 801 S Figueroa St #15, Los Angeles, CA 90017, (213) 624-6900, before an officer authorized by law to administer oaths. The deposition will be stenographically recorded and videotaped.

The deposition will continue day to day until complete.

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Phone: 212-687-8181  
[amaloney@kreindler.com](mailto:amaloney@kreindler.com)

You are invited to attend and examine.

Dated: April 16, 2019

Respectfully,

/s/ Steven R. Pounian  
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New York, New York 10017  
Tel: (212) 687-8181  
[spounian@kreindler.com](mailto:spounian@kreindler.com)

*On Behalf of the MDL 1570 Plaintiffs' Executive  
Committees*

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/s/  
Steven R. Pounian, Esq.